

Senate File 400 - Introduced

SENATE FILE 400

BY SCHNEIDER

A BILL FOR

1 An Act relating to disclosures of certain information,
2 including reprisals with respect to employees of a political
3 subdivision of the state and providing information to
4 employees concerning the office of ombudsman.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 70A.29, subsection 1, Code 2019, is
2 amended to read as follows:

3 1. A person shall not discharge an employee from or take
4 or fail to take action regarding an employee's appointment or
5 proposed appointment to, promotion or proposed promotion to,
6 or any advantage in, a position in employment by a political
7 subdivision of this state as a reprisal for a disclosure of any
8 information by that employee to a member or employee of the
9 general assembly, ~~or~~ an official of that political subdivision,
10 a person providing human resource management for that political
11 subdivision, or a state official, or for a disclosure of
12 information to any other public official or law enforcement
13 agency if the employee reasonably believes the information
14 evidences a violation of law or rule, mismanagement, a gross
15 abuse of funds, an abuse of authority, or a substantial and
16 specific danger to public health or safety. This section does
17 not apply if the disclosure of the information is prohibited
18 by statute.

19 Sec. 2. Section 70A.29, subsection 3, Code 2019, is amended
20 to read as follows:

21 3. Subsection 1 may be enforced through a civil action.

22 a. A person who violates subsection 1 is liable to
23 an aggrieved employee for affirmative relief including
24 reinstatement, with or without back pay, ~~or~~ civil damages in an
25 amount not to exceed three times the annual wages and benefits
26 received by the aggrieved employee prior to the violation of
27 subsection 1, and any other equitable relief the court deems
28 appropriate, including attorney fees and costs.

29 b. When a person commits, is committing, or proposes to
30 commit an act in violation of subsection 1, an injunction may
31 be granted through an action in district court to prohibit the
32 person from continuing such acts. The action for injunctive
33 relief may be brought by an aggrieved employee, ~~or~~ the county
34 attorney, or the person providing human resource management for
35 the political subdivision.

